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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF LODDOCH et al

APPLN. NO.: 09/911,067

FILED: July 23, 2001

FOR: OPTICAL TRANSCEIVER

GROUP: 2633

EXAMINER: DOCKET: PRINZ H1718

Commissioner of Patents & Trademarks
Washington, D.C. 20231

PRIOR ART DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby attach U.S. Patent Office Form PTOL-1449, including copies of the prior art references listed therein and a copy of the German Search Report issued in connection with a Novelty Search of Applicants' corresponding German application. Two of the references are discussed in the specification. The claims in the present application are believed to be patentably distinguished over these references.

This prior art disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the German Search Report by a foreign examiner in which the references were cited.

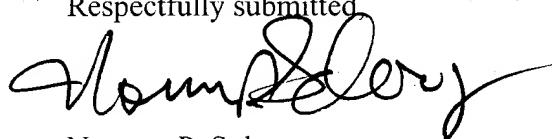
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The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted therewith.

The enclosed Prior Art Statement is being submitted within three months of receipt of the German Search Report, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this prior art disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on October 23, 2001 at Tucson, Arizona.

By: Kim Koed

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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.